

REMARKS

The foregoing Amendment is filed in response to the Office Action dated July 29, 2008. Reconsideration is respectfully requested.

The status of the claims is as follows.

Claims 1-12, 24, and 43-52 are currently pending.

Claims 1-12, 24, and 43-52 stand rejected.

Claims 1-7, 9-12, 24, 43-50, and 52 have been amended.

Claims 8, 14, and 51 have been canceled without prejudice.

The Examiner has rejected claims 1-12, 24, and 43-52 under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. Specifically, the official action indicates that claims 1-12, 24, and 43-52 contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention. The official action further indicates that the specification does not provide support for the features, "wherein said one of said plurality of different payment methods for purchasing the product is unknown to the seller", and "wherein, prior to said querying of the digital repository by the trusted third party, said one of said plurality of different

payment methods for purchasing the product is unknown to the trusted third party", as recited in claims 1-12, 24, and 43-52. The Applicants respectfully submit, however, that base claims 1, 9, 24, 43, and 52, as amended, and the claims depending therefrom, comply with the requirements of 35 U.S.C. 112, first paragraph, and therefore the rejections of claims 1-12, 24, and 43-52 under 35 U.S.C. 112 should be withdrawn.

For example, in the foregoing amendment, base claim 1 has been amended to recite, "wherein the selected payment method for purchasing said product is concealed from said seller", support for which is provided throughout the present application as originally filed, including at page 7, lines 9-10, and at page 15, lines 4-6, of the application. Moreover, in the foregoing amendment to base claim 1, the claim language, "wherein, prior to said querying of the digital repository by the trusted third party, said one of said plurality of different payment methods for purchasing the product is unknown to the trusted third party", has been deleted for clarity. The Applicants respectfully point out, however, that, the selected payment method is determined by the computerized trusted third party system by querying the digital repository using the received anonymous identifier, as recited in

amended claim 1 (see, for example, page 13, lines 4-6, of the application).

The Applicants therefore respectfully submit that base claim 1, as amended, and the claims depending therefrom, comply with the requirements of 35 U.S.C. 112, first paragraph. For at least the reasons provided above with reference to amended claim 1, the Applicants further submit that base claims 9, 24, 43, and 52, as amended, and the claims depending therefrom, comply with the requirements of 35 U.S.C. 112, first paragraph. Accordingly, it is respectfully submitted that the rejections of claims 1-12, 24, and 43-52 under 35 U.S.C. 112 should be withdrawn.

The Examiner has rejected claims 1-14 and 43-52 under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Specifically, the official action indicates that process claims 1-14 and 43-52 are not tied to another statutory class such as a particular apparatus. The Applicants respectfully submit, however, that base claims 1, 9, 43, and 52, as amended, and the claims depending therefrom, comply with the requirements of 35 U.S.C. 101, and therefore the rejections of claims 1-14 and 43-52 under 35 U.S.C. 101 should be withdrawn.

For example, amended base claim 1 recites the following:

"A computer implemented method of purchasing a product from a seller while maintaining anonymity of a buyer, comprising the steps of:

receiving, by a computerized trusted third party system from a computerized buyer device, a plurality of indicators corresponding to a plurality of different payment methods, respectively;

assigning, by one or more of said computerized buyer device and said computerized trusted third party system, an anonymous identifier to each of said plurality of different payment methods;

for each of said plurality of different payment methods, populating, by said computerized trusted third party system, a digital repository with data that is associated with said buyer, said data including a buyer identification indicator, the indicator corresponding to the respective payment method, and the anonymous identifier assigned to the respective payment method,

wherein one of said plurality of different payment methods for purchasing said product is selected by said computerized buyer device using the anonymous identifiers;

receiving, by said computerized trusted third party system from said computerized buyer device, the anonymous identifier assigned to the selected payment method, the anonymous identifier being received as an anonymous payment method for said product that said buyer is purchasing, said product having a total sale price;

receiving, by said computerized trusted third party system from a computerized seller device, said total sale price for payment approval of said product that said buyer is purchasing,

wherein the selected payment method for purchasing said product is concealed from said seller;

in a querying step, querying, by said computerized trusted third party system using the received anonymous identifier, said digital repository to determine the selected payment method;

requesting, by said computerized trusted third party system, payment approval from a payment partner processor by providing said payment partner processor a

description of the selected payment method determined in said querying step and said total sale price; and

providing, by said computerized trusted third party system, said payment approval to the computerized seller device." (emphasis added)

Support for the claimed computer implemented method, as recited in amended base claim 1, is provided throughout the present application as originally filed, including at page 15, line 16, to page 36, line 24, and Figs. 2-9, of the application. For example, with reference to amended claim 1 and Fig. 2 of the application, in one embodiment, the "computerized trusted third party system" may correspond to the trusted third party **200**, the "computerized buyer device" may correspond to the consumer browser or Internet access device **100**, the "computerized seller device" may correspond to the retailer **101**, and the "payment processor" may correspond to the external shipping and processing partners **209**.

The Applicants therefore respectfully submit that base claim 1, as amended, and the claims depending therefrom, comply with the requirements of 35 U.S.C. 101. For at least the reasons provided above with reference to amended claim 1, the Applicants further submit that base claims 9, 43, and 52, as amended, and the claims depending therefrom, comply with the requirements of 35 U.S.C.

101. Accordingly, it is respectfully submitted that the rejections of claims 1-14 and 43-52 under 35 U.S.C. 101 should be withdrawn.

The Examiner has rejected claims 1-14, 24, and 43-52 under 35 U.S.C. 103(a) as being unpatentable over Pinnell (USP 7,398,253) and Casper (USP 7,127,427) in view of Moribatake *et al.* (USP 6,539,364). The Applicants respectfully submit, however, that base claims 1, 9, 24, 43, and 52, as amended, and the claims depending therefrom, recite non-obvious subject matter that distinguishes over the art of record, and therefore the rejections of claim 1-14, 24, and 43-52 under 35 U.S.C. 103 should be withdrawn.

For example, in the foregoing amendment, base claim 1 has been amended to include the following steps:

"receiving, by a computerized trusted third party system from a computerized buyer device, a plurality of indicators corresponding to a plurality of different payment methods, respectively;" and

"assigning, by one or more of said computerized buyer device and said computerized trusted third party system, an anonymous identifier to each of said plurality of different payment methods;" (emphasis added)

The official action indicates that the Pinnell reference discloses the step of assigning an anonymous identifier to the

indicator that corresponds to said one of said plurality of different payment methods. Specifically, the official action indicates that the Pinnell reference discloses assigning a temporary credit card number and expiry date (see column 4, lines 58-67, of Pinnell). The Applicants respectfully submit, however, that the Pinnell reference does not disclose "assigning ... an anonymous identifier to each of said plurality of different payment methods", as recited in amended base claim 1. Support for the assigning step of amended claim 1 is provided throughout the present application, including at page 23, lines 14-17, and at page 26, lines 8-11, of the application.

In contrast, as discussed above, the Pinnell reference merely discloses creating a temporary credit card number and expiry date (see column 4, lines 60-61, of Pinnell). Although the Pinnell reference discloses that a customer can choose the source of the money for each transaction from among various accounts of the customer, and can nominate a particular source of funds for a particular transaction (see column 3, lines 60-66, of Pinnell), the Pinnell reference neither teaches nor suggests assigning an anonymous identifier to each of a plurality of different payment methods, in which one of the plurality of different payment methods for purchasing a product is selected by a computerized

buyer device using the anonymous identifiers, as recited in amended base claim 1. For example, the Pinnell reference neither teaches nor suggests that the source of the money for each transaction can be chosen by the customer using the anonymous identifiers assigned to the different payment methods, as recited in amended claim 1.

Moreover, the Applicants respectfully submit that neither the Casper reference nor the Moribatake reference remedies the deficiencies of the Pinnell reference. For example, the Casper reference discloses a unique purchaser identifier linked to that purchaser's purchasing information (see column 3, lines 4-10, of Casper). However, unlike the anonymous identifiers recited in amended base claim 1, the purchaser identifiers of Casper are not assigned to each of a plurality of different payment methods, but are instead assigned to each purchaser (see column 3, lines 4-5, of Casper). Like the Casper reference, the Moribatake reference also fails to disclose the step of "assigning ... an anonymous identifier to each of said plurality of different payment methods", as recited in amended claim 1.

As recited in amended base claim 1, after the anonymous identifier is assigned to each of the plurality of different payment methods, one of the different payment methods for

purchasing a product can be selected by the computerized buyer device using the anonymous identifiers. The anonymous identifier assigned to the respective selected payment method is then employed in subsequent process steps of amended claim 1, including the following:

"for each of said plurality of different payment methods, populating, by said computerized trusted third party system, a digital repository with data that is associated with said buyer, said data including a buyer identification indicator, the indicator corresponding to the respective payment method, and the anonymous identifier assigned to the respective payment method,"

"receiving, by said computerized trusted third party system from said computerized buyer device, the anonymous identifier assigned to the selected payment method, the anonymous identifier being received as an anonymous payment method for said product that said buyer is purchasing, said product having a total sale price;"

"in a querying step, querying, by said computerized trusted third party system using the received anonymous identifier, said digital repository to determine the selected payment method;" (emphasis added)

The Applicants respectfully submit that neither the Pinnell reference, the Casper reference, nor the Moribatake reference, taken alone or in proper combination, teach or suggest the above populating, receiving, and querying steps, each of which employ the anonymous identifier assigned to the respective payment method

selected by the computerized buyer device, as recited in amended base claim 1.

As described in the present application, by providing an anonymous identifier for each payment method, as recited in amended base claim 1, "reference to the methods may be made by using the anonymous identifier, rather than the actual information pertaining to the method itself (e.g., credit card number, etc.)" (see page 23, lines 14-16, of the application). The method of amended claim 1 is particularly useful as the computerized trusted third party system becomes enabled to implement new payment vehicles, thereby allowing the computerized seller device to become enabled to accept these new vehicles for transactions with the trusted third party without the need for costly implementation themselves (see page 7, lines 9-13, of the application). Such advantages are neither taught nor suggested in the art of record.

Because neither the Pinnell reference, the Casper reference, nor the Moribatake reference teaches or suggests the computer implemented method of amended base claim 1, including the steps of receiving, by a computerized trusted third party system from a computerized buyer device, a plurality of indicators corresponding to a plurality of different payment methods, respectively, and assigning, by one or more of said computerized buyer device and

said computerized trusted third party system, an anonymous identifier to each of said plurality of different payment methods, the Applicants respectfully submit that the combined teachings of the Pinnell, Casper, and Moribatake references would not suggest to one of ordinary skill in this art at the time of the invention the subject matter of amended claim 1 and the claims depending therefrom. For at least the reasons provided above with reference to amended claim 1, the Applicants further submit that the combined teachings of the Pinnell, Casper, and Moribatake references would not suggest to one skilled in this art at the time of the invention the subject matter of amended base claims 9, 24, 43, and 52, and the claims depending therefrom. Accordingly, it is respectfully submitted that the rejections of claims 1-14, 24, and 43-52 under 35 U.S.C. 103 should be withdrawn.

In view of the foregoing, it is respectfully submitted that the present application is in a condition for allowance. Early and favorable action is respectfully requested.

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The Examiner is encouraged to telephone the undersigned Attorney to discuss any matter that would expedite allowance of the present application.

Respectfully submitted,

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